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6 UNITED STATES DISTRICT COURT
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA
8 SAN JOSE DIVISION

9 DAVID HO, JOHN MAXTON, NATHAN)
10 LAY, and SARAH FERNANDEZ on behalf)
11 of themselves and all others similarly)
12 situated and on behalf of the general)
13 public and DOES #1-20)

14 Plaintiff,

15 v.

16 ERNST & YOUNG, LLP

17 Defendants.
18 _____)

Case No. C 05 04867-JF (HRL)

**[PROPOSED] ORDER DISMISSING
PLAINTIFFS NATHAN LAY AND JOHN
MAXTON**

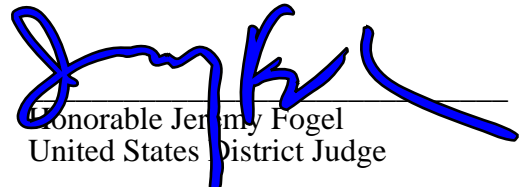
19 This matter having come before the Court on the stipulations of the parties dated March
20 20, 2008 and March 4, 2008, it is hereby

21 ORDERED that plaintiffs Nathan Lay and John Maxton are dismissed from this case
22 without prejudice with each party to bear their own costs and attorneys fees; and it is further

23 ORDERED that the caption of this action shall be amended accordingly

24 IT IS SO ORDERED

25 Dated: 4/3/08 _____

26 
Honorable Jeremy Fogel
United States District Judge